

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

EUSTACE ARRINDELL, Individually and
As Administrator of the Estate of
Marguerite Arrindell, deceased,

NOTICE OF MOTION

Plaintiff,

v.

Civil Docket No.: 09-cv-0165

TIMOTHY B. HOWARD,
Sheriff of the County of Erie,
ERIE COUNTY SHERIFF'S DEPARTMENT,
COUNTY OF ERIE, RONALD MOSCATI, MD,
LESLEY PYJAS, RN and
ANDREW CASE, PA

Defendants.

PLEASE TAKE NOTICE that Plaintiff, Eustace Arrindell, Individually and as Administrator of the Estate of Marguerite Arrindell, by his attorneys, Vinal & Vinal, P.C., will move before the Honorable William M. Skretny, United States District Judge, at a date and time to be determined by the Court, for an order approving the settlement the settlement of the above captioned matter and for allocation of said settlement pursuant to Local Rule 41.1(c), and for such other and further relief as to the court seems just and proper, upon the declaration of Jeanne M. Vinal, Esq., February 1, 2013, and the affidavit of Eustace Arrindell, sworn to on February 4, 2013, and upon the pleadings and proceedings had heretofore herein

DATED: Buffalo, New York
February 6, 2013

Vinal & Vinal, P.C.

By: s/Jeanne M. Vinal
Jeanne M. Vinal, Esq.
Attorneys for Plaintiff
193 Delaware Avenue

Buffalo, New York 14202
(716) 832-5900

TO: K. John Bland, Esq.
Ricotta & Visco
Attorneys for Defendant Ronald Moscati
1100 Main Place Tower
350 Main Street
Buffalo, NY 14202
(716) 854-6424

Kenneth R. Kirby, Esq.
Erie County Attorney and
Attorney for Defendants
*Timothy B. Howard, Sheriff Of the County of Erie, and
County of Erie, also sued herein as
Erie County Sheriff's Department*
69 Delaware Avenue, Suite 300
Buffalo, NY 14202
(716) 858-2200